

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
FEBRUARY 12, 2004**

BUREAU OF LAND AND WASTE MANAGEMENT

Hazardous Waste Enforcement

- 1) Order Type and Number: Consent Order 03-34-HW
 Order Date: December 11, 2003
 Responsible Party: **Romeo Rim, Inc. Plant III**
 Location/Mailing Address: 131 Corporate Drive
 Gaffney, SC 29342

 County: Cherokee
 Previous Orders: 02-097-A (\$8,000)
 Permit Number: SCR 000 076 059
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2)(2002) and the South Carolina
 Hazardous Waste Management Regulations 61-79.262.44(b), R.61-
 79.262.34(d)(5)(ii), R.61-79.262.13(d), R.61-79.262.41(a), R.61-
 79.262.34(a)(2), R.61-79.262.34(c)(1)(ii), R.61-79.262.34(a)(1)(i)/265
 Subpart I, R.61-79.262.(a)(1)(i)/265.175, R.61-79.262.34(a)(1)(i)/265.174,
 R.61-79.262.34(a)(4)/265.35, R.61-79.262.34(a)(4)/265.16, and R.61-
 79.262.34(a)(4)/265.51(a).

Summary: Romeo Rim, Incorporated Plant III (Respondent) makes molded polyurethane parts for manufacturing facilities. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to declare status annually on or before January 31 by submission of a completed form as designated by the Department; failure as a small quantity generator to post the name and telephone number of emergency coordinator, location of fire extinguishers and spill control material, and if present, fire alarm, and the telephone number of the fire department; failure to file a revised or new Notification form whenever the information previously provided becomes outdated or inaccurate; failure to prepare and, no later than thirty (30) days after the end of each calendar quarter, submit a written report to the Department; failure to have the date upon which each period of accumulation begins clearly marked and visible for inspection on each container; failure to mark containers either with the words: "Hazardous Waste" or with other words identifying the contents in the container; failure to place the waste in containers and comply with the applicable requirements of subparts I, AA, BB and CC of R.61-79 265.; failure to design and operate container storage areas with a containment system; failure to inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors; failure to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to

any area of the facility; failure to ensure that facility personnel successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facilities; and, failure to have a contingency plan for the facility.

Action: The Respondent has agreed to: file a revised or new Notification form whenever the information previously provided becomes outdated or inaccurate; ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I-Use and Management of Containers; prepare and submit to the Department, no later than thirty (30) days after the end of each calendar quarter, a written report of the previous quarter's hazardous waste activity; ensure that aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the facility is maintained; ensure that facility personnel successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements; ensure compliance with the contingency plan for the facility; and, pay a civil penalty in the amount of thirty-two thousand, two hundred dollars (**\$32,200.00**).

2)	<u>Order Type and Number:</u>	Consent Order 03-35-HW
	<u>Order Date:</u>	December 17, 2003
	<u>Responsible Party:</u>	Quality Plating, Inc.
	<u>Location/Mailing Address:</u>	120 Venture Blvd. Spartanburg, SC 29301
	<u>County:</u>	Spartanburg
	<u>Previous Orders:</u>	99-45-HW (\$5,500)
	<u>Permit Number:</u>	SCD 982 131 260
	<u>Violations Cited:</u>	The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.262.34(a), R.61-79.262.34(a)(1)(i)/265.173(c), R.61-79.262.34(a)(1)(i)/265.173(d), and R.61-79.262.34(a)(2).

Summary: Quality Plating, Inc. (Respondent) currently operates a nickel plating facility and formerly specialized in electroplating. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to mark all containers of hazardous waste permanently and legibly with the words "Hazardous Waste – federal laws prohibit improper disposal" or with an equivalent statement; failure to label each container of hazardous waste with the appropriate EPA Hazardous Waste Number(s); failure to clearly mark for inspection, on each container, the date upon which each period of accumulation began; and, failure to store hazardous waste onsite for less than 90 days unless a permit or interim status has been granted by the Department.

Action: The Respondent has corrected all the violations and agreed to pay a civil penalty in the amount of nine hundred fifty dollars (**\$950.00**). The Department assessed a civil penalty in the amount of nine thousand, five hundred dollars (**\$9,500.00**). Due to an inability to pay the assessed penalty, the balance between the amount assessed and the amount required to be paid has been waived.

Solid Waste Enforcement

- 3) Order Type and Number: Consent Order 03-33-SW
 Order Date: December 3, 2003
 Respondent: **Rommie Gray**
 Facility: Rommie Gray Composting
 Location/Mailing Address: P.O. Box 1285
 Pawley's Island, S.C. 29585

 County: Georgetown
 Previous Orders: None
 Permit/ID Number: 222638-3001
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), Yard Trash and Land-Clearing
 Debris; and Compost Regulation, 25A S.C. Code Ann. Reg. 61-
 107.4.F.12.b. (Supp. 2002).

Summary: Mr. Rommie Gray (Respondent) owns and operates Rommie Gray Composting located in Pawley's Island, South Carolina (Site). The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the Yard Trash and Land-Clearing Debris; and Compost Regulation by failure to submit the fiscal year (FY) annual report due on October 15, 2003.

Action: The Respondent has agreed to send in its FY 2003 annual report and pay a civil penalty in the amount of five hundred dollars (**\$500.00**). Both of the requirements have been completed.

- 4) Order Type and Number: Consent Order 03-34-SW
 Order Date: December 3, 2003
 Respondent: **Hi-Tech Recycling**
 Facility: Hi-Tech Recycling Composting Fac.
 Location/Mailing Address: 5296 Millpond Road
 Myrtle Beach, S.C. 29588

 County: Horry
 Previous Orders: None
 Permit/ID Number: 262652-3001
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), Yard Trash and Land-Clearing
 Debris; and Compost Regulation, 25A S.C. Code Ann. Reg. 61-
 107.4.F.12.b. (Supp. 2002).

Summary: Hi-Tech Recycling (Respondent) owns and operates Hi-Tech Recycling Composting Facility located in Myrtle Beach, South Carolina (Site). The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the Yard Trash and Land-Clearing Debris; and Compost Regulation by failure to submit the fiscal year (FY) annual report due on October 15, 2003.

Action: The Respondent has agreed to send in its FY 2003 annual report and pay a civil penalty in the amount of five hundred dollars (**\$500.00**). Both of the requirements have been completed.

5) Order Type and Number: Consent Order 03-35-SW
 Order Date: December 3, 2003
 Respondent: **Tyrone Frasier**
 Facility: Frasier Composting Facility
 Location/Mailing Address: 782 Kent Road
 Georgetown, S.C. 29440

 County: Georgetown
 Previous Orders: None
 Permit/ID Number: 222679-3001
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), Yard Trash and Land-Clearing
 Debris; and Compost Regulation, 25A S.C. Code Ann. Reg. 61-
 107.4.F.12.b. (Supp. 2002).

Summary: Mr. Tyrone Frasier (Respondent) owns and operates Frasier Composting Facility located in Georgetown, South Carolina. The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the Yard Trash and Land-Clearing Debris; and Compost Regulation by failure to submit the fiscal year (FY) annual report due on October 15, 2003.

Action: The Respondent has agreed to send in its FY 2003 annual report and pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The civil penalty is to be paid within one (1) year in quarterly payments of one hundred twenty-five dollars (\$125.00) each beginning three (3) months from the date of receipt of the fully executed Order. The facility's FY 2003 annual report has been received. The first civil penalty payment is due on March 9, 2004.

BUREAU OF WATER

Drinking Water Enforcement

- 6) Order Type and Number: Administrative Order 03-186-DW
 Order Date: October 8, 2003
 Respondent: **Darren Stevens d/b/a Suburban
Water Company**
 Facility: Suburban Water Company
 Location/Mailing Address: 1213 Brady Porth Road
 Lexington, SC 29072
 County: Lexington
 Previous Orders: None
 Permit/ID Number: 3250011
 Violations Cited: S.C. Code Ann. Reg. 61-30(G)(2)(a),
61-58.5(C)(7)(a), 61-58.11(H)(4), 61-58.6(E)(1)(a), 61-58.7(B), 61-
58.1(B)(1), 61-58.1(K)(1), 61-58.7(E)(1)(b), and S.C. Code Ann. § 44-55-
80(A)(2)

Summary: Darren Stevens (Respondent) d/b/a Suburban Water Company, owns and operates a public water system (PWS) located in Lexington County, South Carolina. The Respondent has violated the Safe Drinking Water Act, the State Primary Drinking Water Regulations, and the Environmental Protection Fee Regulations as follows: failure to properly operate and maintain the PWS; failure to obtain the appropriate Department permits prior to adding additional service connections to the PWS; failure to obtain a final approval to operate; failure to monitor for nitrate, lead and copper; failure to issue public notification; failure to comply with its operating permit; and failure to pay the annual drinking water fees for the 2001, 2002, 2003 and 2004 fiscal years.

Action: The Respondent was ordered to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; within 5 days of the Order date, issue public notification; within 15 days of the Order date, correct all compliance deficiencies noted in the 2002 sanitary survey; within 30 days of the Order date, pay the balance of all outstanding annual drinking water fees which total two thousand six hundred forty-one dollars and seventy-eight cents (\$2,641.78) and pay a civil penalty in the amount of thirty-three thousand five hundred dollars (**\$33,500.00**); within 60 days of the Order date, submit a preliminary engineering report (PER) to address a system upgrade; and within 180 days of the Order date, complete the installation of an appropriate storage tank and all other items as noted in the PER.

- 7) Order Type and Number: Administrative Order 03-156-DW
Order Date: August 27, 2003
Respondent: **Joey N. McDaniel**
Facility: None
Location/Mailing Address: 467 Harvest Moon Dr.
Georgetown, SC 29440
County: Georgetown and Horry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 24A S.C. Code Ann. Regs. 61-44
(C)(1) , S.C. Code Ann. § 44-55-40 (N) (2002), 25 S.C. Code Ann. Regs.
61-71.6 (H), and 25 S.C. Code Ann. Regs. 61-71.8 (A)

Summary: Joey N. McDaniel (Respondent) is in the business of well drilling in the State of South Carolina. The Respondent violated the South Carolina Individual Residential Well & Irrigation Well Permitting Regulations, the State Safe Drinking Water Act and the South Carolina Well Standards and Regulations as follows: failure to properly label 3 wells with an identification plate; failure to submit 7 Water Well Record forms; and constructed wells with an expired well drillers license.

Action: The Respondent was ordered to: comply with all pertinent State laws and regulations concerning well driller certification, well construction and permitting; within 30 days of the Order date, contact the Waccamaw EQC office to confirm the placement of the identification plates; submit the required Water Well Record forms; and pay a civil penalty in the amount of five thousand dollars **(\$5,000.00)**.

- 8) Order Type and No.: Consent Order 03-225-DW
Order Date: December 11, 2003
Responsible Party: **Ashwin Patel d/b/a Days Inn
Grand Strand**
Facility: Days Inn Grand Strand
Location/Mailing Address: 806 South Ocean Blvd.
Myrtle Beach, SC 29577
County: Horry
Previous Order(s): None
Permit/ID Number: 26-432-B
Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Ashwin Patel (Respondent) d/b/a Days Inn Grand Strand owns and is responsible for the proper operation and maintenance of a public swimming pool. The Respondent failed to properly operate and maintain the public swimming pool.

Action: The Respondent has agreed to: operate and maintain the public swimming pool in accordance with the Public Swimming Pools Regulation; and within 30 days of the Order date, pay a civil penalty in the amount of two thousand one hundred sixty dollars (**\$2,160.00**). The penalty has been paid.

- 9) Order Type and No.: Consent Order 03-226-DW
 Order Date: December 11, 2003
 Responsible Party: **Ashwin Patel d/b/a Ocean Lodge**
 Facility: Ocean Lodge
 Location/Mailing Address: 604 North Ocean Blvd.
 Myrtle Beach, SC 29577

 County: Horry
 Previous Order(s): None
 Permit/ID Number: 26-369-B
 Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Ashwin Patel (Respondent) d/b/a Ocean Lodge owns and is responsible for the proper operation and maintenance of a public swimming pool. The Respondent failed to properly operate and maintain the public swimming pool.

Action: The Respondent has agreed to: operate and maintain the public swimming pool in accordance with the Public Swimming Pools Regulation; and within 30 days of the Order date, pay a civil penalty in the amount of two thousand one hundred sixty dollars (**\$2,160.00**). The penalty has been paid.

- 10) Order Type and No.: Consent Order 03-232-DW
 Order Date: December 4, 2003
 Responsible Party: **Greer CPW**
 Facility Greer CPW PWS
 Location/Mailing Address: PO Box 216
 Greer, SC 29652

 County: Greenville
 Previous Order(s): None
 Permit/ID Number: 2310005
 Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-
 58.5(P)(1)

Summary: Greer Commission of Public Works (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent exceeded the maximum contaminant level (MCL) of 0.060 mg/L for the five (5) regulated haloacetic acids (HAA5).

Action: The Respondent has agreed to: operate the PWS in accordance with applicable State and Federal laws and regulations; submit by March 1, 2004, a PER detailing the procedures and proposed schedule for addressing the

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| 13) | <u>Order Type and No.:</u> | Consent Order 03-239-DW |
| | <u>Order Date:</u> | December 15, 2003 |
| | <u>Responsible Party:</u> | Edisto Beach Golf Club, Inc. |
| | <u>Facility:</u> | Edisto Beach Golf Club, Inc. |
| | <u>Location/Mailing Address:</u> | PO Box 758 |
| | | Edisto Beach, SC 29438 |
| | <u>County:</u> | Colleton |
| | <u>Previous Order(s):</u> | None |
| | <u>Permit/ID Number:</u> | 15GC001 |
| | <u>Violation(s) Cited:</u> | 25A S.C. Code Ann. Regs. 49-5- |
| | 90(A) | |

Summary: Edisto Beach Golf Club, Inc. (Respondent) is responsible for the operation and maintenance of a permitted groundwater withdrawal system. The Respondent failed to submit groundwater withdrawal reports for the 2002 reporting period.

Action: The Respondent has agreed to: operate and maintain the groundwater wells and report groundwater withdrawal in accordance with State regulations; within 15 days of the Order date, submit completed Water Use Report forms for the 2002 reporting periods; and within 30 days of the Order date, pay a civil penalty in the amount of eight hundred dollars **(\$800.00)**.

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| 14) | <u>Order Type and No.:</u> | Consent Order 03-243-DW |
| | <u>Order Date:</u> | December 17, 2003 |
| | <u>Responsible Party:</u> | Lil Owl Care Assistance for the
Homeless d/b/a Caring and
Sharing Community Center |
| | <u>Facility:</u> | Caring and Sharing Community
Center |
| | <u>Location/Mailing Address:</u> | PO Box 189
Jamestown, SC 29453 |
| | <u>County:</u> | Berkeley |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 0870939 |
| | <u>Violations Cited:</u> | 24A S.C. Code Ann. Regs. 61-58.7
and 61-58.1, S.C. Code Ann. § 44-55-80 and 44-55-40 |

Summary: Lil Owl Care Assistance for the Homeless (Respondent) d/b/a Caring & Sharing Community Center owns and is responsible for the proper operation and maintenance of a PWS. The Respondent failed to properly operate and maintain a PWS, and to obtain a permit to construct and a final approval to operate prior to constructing and operating water line extensions.

Action: The Respondent has agreed to: within 30 days of Order date, employ a certified distribution operator, complete an emergency preparedness plan, implement monthly bacteriological monitoring, conduct the initial round of lead and copper monitoring; and complete either Option A or Option B as specified in the Order.

15) Order Type and Number: Emergency Order 03-245-DW
Order Date: December 23, 2003
Respondent: **Ashley Acres, Inc.**
Facility: Ashley Acres North MHP
Location/Mailing Address: 8491 Old Percival Road
Columbia, SC 29260
County: Richland
Previous Orders: None
Permit/ID Number: 4060006
Violations Cited: State Safe Drinking Water Act, S.C. Code Ann. §§ 44-55-10, South Carolina Code of Laws §§ 44-1-140 and 44-55-60

Summary: Ashley Acres, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a PWS. The Respondent failed to properly operate and maintain the PWS.

Action: The Respondent was ordered to take any and all steps necessary to provide an alternate 24-hour water source to the residents. The Respondent agreed to drill a new well for residents of the PWS and to provide Boil Water Advisories to all residents of the PWS until the well is operating properly and samples have been taken ensuring safe water.

Water Pollution Enforcement

16) Order Type and No.: Administrative Order 03-175-W
Order Date: December 18, 2003
Responsible Party: **Town of Branchville**
Facility: Branchville WWTF
Location/Mailing Address: PO Box 85
Branchville, SC 29432
County: Orangeburg
Previous Order(s): 01-073-W (\$5,600)
Permit/ID Number: SC0047333
Violation(s) Cited: S.C. Code Ann. § 48-1-110 (d)

Summary: The Town of Branchville (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent failed to comply with the permitted discharge limits for biochemical oxygen demand (BOD), total residual chlorine (TRC) and fecal coliform (FC).

Action: The Respondent was ordered to: operate and maintain the WWTF in accordance with applicable regulations; within 60 days of the Order date, submit a diagnostic evaluation (DE) performed by a South Carolina Registered Professional Engineer and a WWTF operator certified by the State of South Carolina; if the DE reveals that the WWTF cannot comply with the requirements of the Permit, then within 60 days of completion of the DE, submit a PER, with a proposed construction schedule, for upgrade of the WWTF; and within 30 days of the Order date, pay a civil penalty in the amount of twenty thousand dollars **(\$20,000.00)**.

17)	<u>Order Type and No.:</u>	Consent Order 03-224-W
	<u>Order Date:</u>	December 3, 2003
	<u>Responsible Party:</u>	Frances and Denny Michaelis
	<u>Facility:</u>	One acre lot in Midland Valley Country Club
	<u>Location/Mailing Address:</u>	239 Midland Drive Graniteville, SC 29829
	<u>County:</u>	Aiken
	<u>Previous Order(s):</u>	None
	<u>Permit/ID Number:</u>	None
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a)

Summary: Frances and Denny Michaelis (Respondents) own and are responsible for development and construction activities on a one (1) acre lot in the Midland Valley Country Club (Site). The Respondents discharged sediment into the environment.

Action: The Respondents have agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 30 days of the Order date, submit a report completed by a South Carolina Registered Professional Engineer certifying all storm water control devices are in place and functioning; and pay a civil penalty in the amount of six hundred dollars **(\$600.00)**. The penalty has been paid.

18)	<u>Order Type and No.:</u>	Consent Order 03-228-W
	<u>Order Date:</u>	December 1, 2003
	<u>Responsible Party:</u>	Town of Pendleton
	<u>Facility:</u>	Pendleton-Clemson Regional WWTF
	<u>Location/Mailing Address:</u>	310 Greenville Street Pendleton, SC 29670
	<u>County:</u>	Anderson
	<u>Previous Order(s):</u>	00-199-W (\$1,400)
	<u>Permit/ID Number:</u>	SC0035700
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61- 9.122.41(a), S.C. Code Ann. § 48-1-110(d)

Summary: The Town of Pendleton (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with National Pollutant Discharge Elimination System Permit (NPDES) limits for FC, total phosphorus, chronic toxicity, and ammonia-nitrogen.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 30 days of the Order date, submit a summary of corrective actions taken; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

19)	<u>Order Type and No.:</u>	Consent Order 03-235-W
	<u>Order Date:</u>	December 11, 2003
	<u>Responsible Party:</u>	City of Barnwell
	<u>Facility:</u>	Barnwell WWTF
	<u>Location/Mailing Address:</u>	PO Box 776 Barnwell, SC 29812
	<u>County:</u>	Barnwell
	<u>Previous Order(s):</u>	None
	<u>Permit/ID Number:</u>	SC0047872
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110 (d), 24 S.C. Code Ann. 61-9.403.8

Summary: The City of Barnwell (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to properly implement its pretreatment program.

Action: The Respondent has agreed to: operate and maintain the facility in accordance with applicable State and Federal regulations; submit a corrective action plan (CAP) for correcting deficiencies in the pretreatment program; and within 30 days of the Order date, pay a civil penalty in the amount of two thousand eight hundred dollar (**\$2,800.00**).

20)	<u>Order Type and No.:</u>	Consent Order 03-236-W
	<u>Order Date:</u>	December 12, 2003
	<u>Responsible Party:</u>	Parkline Development Corporation
	<u>Facility:</u>	Huntington Place Subdivision
	<u>Location/Mailing Address:</u>	101 Brookshire Drive York Fort Mill, SC 29715
	<u>County:</u>	York
	<u>Previous Order(s):</u>	None
	<u>Permit/ID Number:</u>	SCR102877
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a), 24 S.C. Code Ann. Regs 61-9.122.41(a) and (e)

Summary: Parkline Development Corporation (Respondent) owns and is responsible for development and construction activities in the Huntington Place Subdivision (Site). The Respondent failed to operate and maintain all facilities and systems of treatment and control and discharged sediment into waters of the State.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 60 days of the Order date, submit a report, completed by a South Carolina Registered Professional Engineer, certifying all storm water controls have been installed and are properly functioning; and within 30 days of the Order date, pay two thousand eight hundred dollars (\$2,800.00) of the eleven thousand two hundred dollar **(\$11,200.00)** civil penalty, with the remaining payments due quarterly.

21)	<u>Order Type and No.:</u>	Consent Order 03-238-W
	<u>Order Date:</u>	December 15, 2003
	<u>Responsible Party:</u>	United States Department of Energy and Westinghouse Savannah River Company
	<u>Facility:</u>	Savannah River Site
	<u>Location/Mailing Address:</u>	Savannah River Company, LLC Building 719-4A Aiken, SC 29808
	<u>County:</u>	Aiken, Allendale & Barnwell
	<u>Previous Order(s):</u>	99-155-W (\$0); 99-041-HW (\$38,900); 01-063-A (\$3,000); 02-225-W (\$0); CWA-04-2002-4541 (B) (\$50,000) (USEPA)
	<u>Permit/ID Number:</u>	SC0000175
	<u>Violation(s) Cited:</u>	N/A

Summary: The United States Department of Energy and Westinghouse Savannah River Company (Respondents) own and are responsible for the proper operation and maintenance of the manufacturing, administrative and production areas at the Savannah River Site. Mercury concentrations in the effluent at outfall F-08 will violate the conditions of the NPDES Permit.

Action: The Respondents have agreed to: submit a mercury minimization plan with an implementation schedule within 60 days; within 3 years, submit a PER for construction of facilities necessary to achieve compliance with the permitted limit for mercury; and within 5 years, comply with permitted discharge limits for mercury at outfall F-08.

22) Order Type and No.: Consent Order 03-240-W
Order Date: December 19, 200
Responsible Party: **Easley Combined Utilities**
Facility: Georges Creek and Golden Creek WWTFs
Location/Mailing Address: PO Box 619
Easley, SC 29640-0619
County: Pickens
Previous Order(s) 99-001-W (\$9,900) (Golden Creek)
Permit/ID Number: SC0023043 (Georges)
SC0023035 (Golden)
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-122.41(a), S.C. Code Ann. § 48-1-110(d)

Summary: Easley Combined Utilities (Respondent) owns and is responsible for the proper operation and maintenance of two (2) WWTFs. The Respondent failed to meet effluent discharge limits for total suspended solids (TSS), ammonia-nitrogen and dissolved oxygen (DO) at Facility #1 and effluent discharge limits for TSS and TSS % removal at Facility #2.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; within 30 days of the Order date, pay a civil penalty in the amount of eleven thousand two hundred dollars (**\$11,200.00**); at Facility #1 submit a copy of the inflow/infiltration (I/I) study already completed and submit quarterly I/I reports detailing corrective actions taken; and at Facility #2 submit a CAP and updated standard operating procedure (SOP) for sample collections and request a permit modification addressing TSS % removal.

23) Order Type and No.: Consent Order 03-241-W
Order Date: December 17, 2003
Responsible Party: **CR Bard, Inc.**
Facility: CR Bard, Inc.
Location/Mailing Address: 428 Power House Road
Moncks Corner, SC 29461
County: Berkeley
Previous Order(s): 02-262-W (\$14,000)
99-092-W (\$40,000)
97-059-W (\$4,000)
Permit/ID Number: SC0035190
Violation(s) Cited: S.C. Code Ann. § 48-1-110 (d), 24 S.C. Code Ann. Regs. 61-9.122.41 (a) (1)

Summary: CR Bard, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with the permitted discharge limits for BOD and TSS.

Action: The Respondent has agreed to: operate and maintain the WWTF in accordance with applicable regulations; and within 30 days of the Order date, pay a civil penalty in the amount of seven thousand two hundred dollars (**\$7,200.00**).

24) Order Type and No.: Consent Order 03-242-W
 Order Date: December 19, 2003
 Responsible Party: **City of Manning**
 Facility: Manning WWCS
 Location/Mailing Address: PO Box 546
 Manning, SC 29102

 County: Clarendon
 Previous Order(s): None
 Permit/ID Number: SC0020419
 Violation(s) Cited: S.C. Code Ann. § 48-1-110 (d), 24
 S.C. Code Ann. 61-9.122.41(e)

Summary: The City of Manning (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to properly operate and maintain its wastewater collection system (WWCS) to prevent violations of the permitted discharge limits for flow.

Action: The Respondent has agreed to: perform a capacity management operations and maintenance (cMOM) audit according to the schedule prescribed in the Order.

25) Order Type and No.: Consent Order 03-244-W
 Order Date: December 17, 2003
 Responsible Party: **Mr. Steve Henderson**
 Facility: Henderson Property
 Location/Mailing Address: 1201 Fish Camp Road
 Chesnee, SC 29323

 County: Spartanburg
 Previous Order(s): None
 Permit/ID Number: N/A
 Violation(s) Cited: S.C. Code Ann. § 48-1-90(a), 24
 S.C. Code Ann. Regs. 61-9.122.26(b)(14)(x), S.C. Code Ann. 72-305.B(3)

Summary: Mr. Steve Henderson (Respondent) is responsible for clearing and grading activities at the Henderson Property (Site). The Respondent violated the Pollution Control Act, Water Pollution Control Permits, and the South Carolina Stormwater Management and Sediment Control Regulation as follows: initiation of land disturbing activities prior to obtaining a permit from the Department.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 30 days of the Order date, apply for an individual storm water permit; submit a report, completed by a South Carolina Registered Professional Engineer, certifying all storm water controls have been installed and are properly functioning; and within 90 days of the Order date, pay two thousand one hundred dollars (\$2,100.00) of the eight thousand four hundred dollar **(\$8,400.00)** civil penalty with the remaining payments due quarterly.

26) Order Type and No.: Consent Order 03-246-W
Order Date: December 29, 2003
Responsible Party: **South Carolina Electric & Gas Co.**
Facility: McMeekin Station
Location/Mailing Address: Mail Code PO5
Columbia, SC 29218
County: Lexington
Previous Order(s) 01-004-HW (\$101,000) McMeekin/
Cope; 03-090-W (\$14,000)
McMeekin; 03-178-W (\$4,200)
Fairfield; 02-175-W (stipulated)
Wateree
Permit/ID Number: SC0002046
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-
9.122.41(a)(1), S.C. Code Ann. § 48-1-90(a), S.C. Code Ann. § 48-1-
110(d)

Summary: South Carolina Electric and Gas Company (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the McMeekin Station, a steam generating facility. The Respondent exceeded the permitted discharge limit for TSS, and discharged evaporative cooling water, storm water run-off and slurry into the environment.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 30 days of the Order date, submit a summary of corrective actions; and pay a civil penalty in the amount of thirty thousand dollars **(\$30,000.00)**.

BUREAU OF AIR QUALITY

27) Order Type and No.: Consent Order 03-086-A
Order Date: December 3, 2003
Responsible Party: **Cape Romain Contractors**
Location/Mailing Address: 660 Cape Romain Road
Wando, South Carolina 29492
County: Charleston

Previous Order(s): None
Permit No.: None
Violation(s) Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning

Summary: Cape Romain Contractors is a licensed general contractor. On August 14, 2003, Department personnel investigated open-burning activities at a construction site at the intersection of Interstate 26 and U.S. Hwy. 17A. Cape Romain Contractors was burning a pile of trade waste 20 feet in diameter consisting of lumber, plywood, and PVC piping.

Action: On September 18, 2003, the Department issued Cape Romain Contractors a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 29, 2003. A Consent Order was negotiated in which Cape Romain Contractors agreed to cease open burning except as in compliance with Department open burning regulations, and pay a civil penalty in the amount of three thousand dollars (**\$3,000**). The penalty has been paid.

28) Order Type and No.: Consent Order 03-087-A
Order Date: December 3, 2003
Responsible Party: **R. H. Moore Co., Inc.**
Location/Mailing Address: Post Office Box 830
Murrells Inlet, South Carolina 29576
County: Georgetown
Previous Order(s): 00-091-A (\$1,100)
Permit No.: None
Violation(s) Cited: Consent Order 00-091-A, and South
Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open
Burning

Summary: R. H. Moore Co., Inc. is a land-clearing contractor. Department personnel conducted an investigation on June 14, 2002, at a site located off Old Plantation Drive in Georgetown, South Carolina. During the investigation, the Department inspector observed a burning pile of land-clearing debris approximately 40 feet by 40 feet in size and located approximately 775 feet from a public roadway.

Action: The Department issued R. H. Moore Co., Inc. a Notice of Violation on June 14, 2002, and a Notice of Enforcement Conference on October 16, 2003, and an enforcement conference was held on October 29, 2003. A Consent Order was issued in which R.H. Moore Co., Inc. agreed to immediately cease open burning except as provided by the South Carolina Air Pollution Control Regulations, and pay a civil penalty in the amount of four thousand five hundred dollars (**\$4,500**). The penalty has been paid.

Summary: Norbord operates a continuous-press oriented strand board (OSB) manufacturing facility. On May 15-18, 2001, Norbord conducted Department-approved initial source tests to determine compliance with the facility's emissions limits. Test results indicated Norbord had exceeded its permitted emissions limits for volatile organic compounds ("VOC") for each of the twelve-month periods ending May through December 2001. Its emissions of methanol (a hazardous air pollutant ("HAP")) exceeded 10 TPY, and Norbord is therefore a major source of HAP's. However, it failed to include a MACT analysis and proposed MACT limitations in its construction permit application. Norbord submitted an application for a Title V permit but failed to include a required Compliance Assurance Monitoring plan required by Federal regulation. Norbord failed to comply with any requirements of South Carolina Air Pollution Control Regulation 61-62.5, Standard 3, Waste Combustion and Reduction, upon startup of subject equipment. Norbord failed to apply for and obtain the required Department-issued permits prior to altering its process while attempting to reduce emissions from the process.

Action: On July 24, 2002, the Department issued Norbord a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on August 13, 2002. A Consent Order was negotiated in which Norbord agreed to comply with Department regulations regarding permitting requirements, submit technically and administratively complete applications for construction permits, submit an application for a Title V Operating Permit, and pay a civil penalty in the amount of seventy-six thousand five hundred dollars (\$76,500). The penalty has been paid.

31) <u>Order Type and No.:</u>	Consent Order 03-093-A
<u>Order Date:</u>	December 3, 2003
<u>Responsible Party:</u>	Razor Component Systems, Inc.
<u>Location/Mailing Address:</u>	Post Office Drawer 2050 Ridgeland, South Carolina 29936
<u>County:</u>	Jasper
<u>Previous Order(s):</u>	01-025-A (\$1,500)
<u>Permit No.:</u>	None
<u>Violation(s) Cited:</u>	S.C. Code Ann. Reg. 61-62.1 and 62.2

Summary: Razor Component Systems, Inc., is a manufacturer of wooden trusses for construction of buildings. Department personnel conducted an investigation at the facility on November 19, 2002, that indicated Razor Component Systems, Inc., was conducting open burning of trade waste consisting of scrap wood, plastics, and treated lumber. The materials were being burned within 1,000 feet of a public roadway. On September 23, 2003, Department personnel determined Razor Component Systems should have obtained construction and operating permits from the Department prior to installation and operation of the sources at the facility. Department records indicate Razor

Component Systems was previously issued two Notices of Violation for open burning at this site and entered into Consent Order 01-025-A for a violation of Open Burning Regulations. The Consent Order required Razor Component Systems to cease open burning unless in accordance with Department Open Burning Regulations.

Action: On June 30, 2003, the Department issued Razor Component Systems a Notice of Violation and a Notice of Enforcement Conference for the violations observed on November 18, 2002. Razor Component Systems elected to forego an enforcement conference and proceed with the resolution of these violations through a Consent Order. The additional violations discovered after the Notice of Violation was issued were discussed subsequently with Razor Component Systems personnel. A Consent Order was negotiated in which the facility agreed to cease illegal open burning, obtain proper permits from the Department, and pay a civil penalty in the amount of five thousand five hundred dollars (**\$5,500**). The penalty has been paid.

32)	<u>Order Type and No.:</u>	Consent Order 03-094-A
	<u>Order Date:</u>	December 3, 2003
	<u>Responsible Party:</u>	Cooper River Construction
	<u>Location/Mailing Address:</u>	1795 Old Hwy. 52 Moncks Corner, South Carolina
	<u>County:</u>	Berkeley
	<u>Previous Order(s):</u>	01-095-A
	<u>Permit No.:</u>	None
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <u>Prohibition of Open Burning</u> .

Summary: Cooper River Construction operates a land-clearing business. On July 15, 2003, Department personnel investigated open-burning activities near Wescott Plantation in Goose Creek, South Carolina. Cooper River Construction was burning two piles of land-clearing debris 50 feet in diameter within 330 feet of a public roadway.

Action: On September 5, 2003, the Department issued Cooper River Construction a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 17, 2003. A Consent Order was negotiated in which Cooper River Construction agreed to cease open burning except as in compliance with Department open burning regulations, and pay a civil penalty in the amount of six thousand dollars (**\$6,000**). The penalty has been paid.

- Summary: Strange Brothers Grading Co., Inc. is a grading company. On March 17, 2003, the Department conducted an inspection at the Strange Brothers Grading Co., Inc. main office located at 4320 Wade Hampton Boulevard in Taylors, South Carolina. During the inspection, the Department inspector observed a burning pile of land-clearing debris, vinyl siding, plastic containers, and construction waste consisting of pallets and drywall. The pile was approximately 40 feet by 20 feet in size and an enhanced air burner was being used. The Department inspector also observed the burned remains of land-clearing debris and fiberglass insulation. The pile was approximately 10 feet by 10 feet in size. Both of the piles were located approximately 600 feet from a church and businesses and approximately 500 feet from a public roadway.

Action: On August 27, 2003, the Department issued Strange Brothers Grading Co., Inc., a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 30, 2003. A Consent Order was negotiated in which Strange Brothers Grading Co., Inc. agreed to cease burning except as provided by the South Carolina Air Pollution Control Regulations, and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500**). The penalty is due January 14, 2004.

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A - General Provisions (Subpart A); South Carolina Air Pollution Control Regulation 61-62.63 - NESHAP, Subparts N and A; U.S. EPA Regulation 40 CFR 63 - NESHAP, Subpart T, National Emission Standards For Halogenated Solvent Cleaning (Subpart T), and Subpart A; South Carolina Air Pollution Control Regulation 61-62.63 - NESHAP, Subparts T and A; S.C. Code Ann., 48-1-110(d); and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements

Summary: B & E Electroform of South Carolina (B & E Electroform) operates hard chromium and nickel plating processes and vapor degreasers for the cleaning and degreasing of parts, masking or surface preparation of parts, and plating of various types of small parts with nickel or chrome. On September 26, 2000, the Department conducted an inspection at B & E Electroform. During the inspection, the inspector observed that B & E Electroform had failed to maintain pressure drop readings for a composite mesh-pad system within the compliant value established during the initial source test; failed to record inspection and maintenance activities for the composite mesh-pad system; operated a nickel plating line with emissions uncontrolled; failed to contact the Department within 24 hours of the equipment failure and failed to submit a written report of the incident to the Department within 30 days of the occurrence; installed and operated a second batch vapor degreaser prior to obtaining the necessary permits from the Department and prior to submitting the required notifications; failed to maintain consumption records of all materials containing hazardous air pollutants and volatile organic compounds; and failed to maintain records of the total operating time of its chromium tanks. B & E Electroform failed to submit any annual reports of solvent consumption and semiannual emissions exceedance reports for its degreasers. B & E Electroform also was out of compliance with the pressure drop value across the composite mesh-pad system during inspections conducted by the Department on September 27, 2001, and December 10, 2002.

Action: On May 16, 2001, the Department issued B & E Electroform a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 5, 2001. On October 28, 2003, B & E Electroform attended a meeting at the Department to discuss the operation of the composite mesh-pad system. A Consent Order was negotiated in which B & E Electroform agreed to submit all required notifications; maintain records and submit reports required by its Permits; contact the Department within 24 hours of any failure of any air pollution control equipment or systems that last greater than one hour and submit a written report of the incident to the Department within 30 days of the occurrence; operate in a manner that minimizes emissions during any such failure; apply for and obtain appropriate permits or exemptions from permitting requirements prior to constructing, altering, or adding to any sources of air contaminants; conduct a Department-approved source test for the composite mesh-pad system; and upon Department approval of the source test results, operate the composite mesh-pad system in accordance with the emission standards and operational limitations of Subpart N. B & E Electroform also

35)	<u>Order Type and No.:</u>	Consent Order 03-097-A
	<u>Order Date:</u>	December 22, 2003
	<u>Responsible Party:</u>	INVISTA, Inc.-May Plant
	<u>Location/Mailing Address:</u>	Post Office Box 7000 Camden, South Carolina 29020
	<u>County:</u>	Kershaw
	<u>Previous Order(s):</u>	00-004-A (\$3,500)
	<u>Permit No.:</u>	TV-1380-0003
	<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-110(d), South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> , U.S. Environmental Protection Agency Regulation 40 CFR Part 70.5, <u>Permit Applications</u> , and South Carolina Air Pollution Regulation 61-62.70, Title V Operating Permit Program

Action: On September 25, 2003, the Department issued INVISTA a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 9, 2003. A Consent Order was negotiated in which INVISTA agreed to obtain Department-issued permits prior to altering or adding sources of air contaminants, submit timely semiannual reports, operate the afterburner at a temperature above 1300 degrees Fahrenheit, and pay a civil penalty in the amount of six thousand dollars **(\$6,000)**. The penalty has been paid.

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Violation(s) Cited:

S.C. Code Ann. Reg. 61-62.2

Summary: Collins Construction Company is an underground utilities contractor. On October 25, 2002, a Department inspector observed Collins Construction personnel burning land-clearing debris within 1,000 feet of a public roadway.

Action: On June 30, 2003, the Department issued Collins Construction Company a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on July 22, 2003. A Consent Order was negotiated in which the company agreed to pay a civil penalty in the amount of two thousand one hundred dollars (**\$2,100**). The penalty is due in seven payments by July 29, 2004.

37) Order Type and No.: Consent Order 03-099-A
Order Date: December 22, 2003
Responsible Party: **S&W Ready Mix Concrete Co.**
Location/Mailing Address: Post Office Box 872
Clinton, North Carolina 28329
County: Horry
Previous Order(s): None
Permit No.: 9900-0399
Violation(s) Cited: S.C. Code Ann. 48-1-110(d), and
South Carolina Air Pollution Control Regulation 61-62.1, Section II,
Permit Requirements

Summary: S&W Ready Mix Concrete Company, Inc. (S&W Ready Mix) operates a concrete batch-production plant pursuant to Operating Permit 9900-0399, effective November 29, 2002. On July 9, 2003, while investigating a complaint, Department personnel observed that fugitive particulate matter (PM) emissions generated by vehicular traffic on S&W Ready Mix's property were leaving the property boundaries. During the investigation, Department personnel also observed that S&W Ready Mix had installed and was operating a crusher prior to obtaining a construction permit and prior to requesting an operating permit from the Department.

Action: On September 29, 2003, the Department issued S&W Ready Mix a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 29, 2003. A Consent Order was negotiated in which S&W Ready Mix agreed to control fugitive PM emissions by wet suppression, chemical dust suppressants, or in any other manner that has received prior approval from the Department; to obtain appropriate permits or exemptions from permitting requirements prior to constructing, altering, or adding any sources of air contaminants, and pay a civil penalty in the amount of four thousand eight hundred dollars (**\$4,800**). The penalty is due January 21, 2004.

Operating Permit Program, US EPA Regulation 40 CFR 63, Subpart T, National Emission Standards For Halogenated Solvent Cleaning, South Carolina Air Pollution Control Regulation 61-62.63, Subpart T, National Emission Standards For Halogenated Solvent Cleaning.

Summary: Saint-Gobain is a facility that manufactures diamond roller dressers, internal diamond saws, and diamond plated tools. Inspections conducted by the Department indicated that Saint-Gobain failed to use proper methods to prevent spillage when adding solvent to its vapor degreaser; failed to install required pressure drop gauges on its scrubbers; failed to maintain records required by its permit; failed to establish operational ranges for its scrubbers; and altered permitted sources without obtaining required Department-issued permits. Saint-Gobain also failed to submit required reports and failed to submit timely and accurate Title V Annual Compliance Certifications for two reporting periods.

Action: On August 18, 2003, the Department issued Saint-Gobain a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 11, 2003. A Consent Order was negotiated in which Saint-Gobain agreed to maintain required records, submit timely and accurate reports, establish operational pressure drop ranges for its scrubbers, submit corrected Title V Annual Compliance Certifications, and pay a civil penalty in the amount of thirteen thousand one hundred twenty-five dollars (\$13,125). The penalty is due January 29, 2004.

40)	<u>Order Type and No.:</u>	Consent Order 03-102-A
	<u>Order Date:</u>	December 30, 2003
	<u>Responsible Party:</u>	Lockheed Martin Aircraft Center
	<u>Location/Mailing Address:</u>	244 Terminal Road Greenville, South Carolina 29605
	<u>County:</u>	Greenville County
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	1200-0149
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d) and South Carolina Air Pollution Control Regulation 61-62.70 <u>Title V Operating Permit Program.</u>

Summary: Lockheed Martin Aircraft Center (“Lockheed Martin”) strips, paints, and performs maintenance work on aircraft. The Department issued Part 70 (“Title V”) Air Quality Operating Permit TV-1200-0149 to Lockheed Martin, effective March 28, 2001. A condition of the Title V permit and State air quality regulations requires Lockheed Martin to submit to the Department a Title V Annual Compliance Certification (“TVACC”) indicating the facility’s compliance status with all terms and conditions of its permit during each annual reporting period. The TVACC was due to the Department no later than May 12, 2003. The Department contacted Lockheed Martin in August 2003, and requested

that it submit its TVACC. Lockheed Martin submitted its TVACC on August 25, 2003.

Action: On October 7, 2003, the Department issued Lockheed Martin a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 29, 2003. A Consent Order was negotiated in which the facility agreed to submit a TVACC within 45 days of the end of each annual reporting period, and pay to the Department a civil penalty in the amount of four thousand dollars (\$4,000). The penalty has been paid.

41) Order Type and No.: Consent Order 03-103-A
Order Date: December 30, 2003
Responsible Party: **Crown Metro, Inc.**
Location/Mailing Address: 315 Echelon Road
Greenville, South Carolina 29605
County: Greenville
Previous Order(s): 99-070-A (\$3,500); 99-013-HW
(\$120,750); 00-046-A (\$3,000)
Permit No.: 1200-0034
Violation(s) Cited: S.C. Code Ann § 48-1-110(d), South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, and South Carolina Air Pollution Control Regulation 61-62.68 and U.S. EPA Regulation 40 CFR Part 68, Chemical Accident Prevention Provisions.

Summary: Crown Metro, Inc. ("Crown Metro"), manufactures specialty chemicals and coatings. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1200-0034 to Crown Metro, effective November 19, 1998. Crown Metro failed to submit an application for renewal of its Title V Operating Permit. TV-1200-0034 expired on October 31, 2003. The application for renewal was due April 30, 2003, but was submitted on September 8, 2003. Crown Metro failed to submit its annual Monitoring Plan Compliance Certification for the reporting period ending November 18, 2001. It was due December 18, 2001, and was submitted on May 14, 2002. Crown Metro failed to submit a timely and accurate Title V Annual Compliance Certification ("TVACC") for the reporting period ending November 18, 2002. The TVACC was due January 3, 2003, but was not submitted until January 17, 2003. Crown Metro failed to notate in its TVACC that it failed to submit a timely Monitoring Plan Compliance Certification. Crown Metro is subject to U.S. EPA 40 CFR 68, Chemical Accident Prevention Provisions, based on the amount of sulfur trioxide it stores on site (greater than 10,000 pounds). Department personnel conducted an inspection on July 12, 2001, and determined that Crown Metro failed to develop and implement on-site a complete Risk Management Program ("RMP").

Action: On September 25, 2003, the Department issued Crown Metro a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 21, 2003. A Consent Order was negotiated in which the facility agreed to comply with all terms and conditions of its expired permit, TV-1200-0034 (effective November 19, 1998), until such time as a final action is taken on the application for renewal of its Title V Operating Permit, submit a complete and accurate TVACC for the reporting period ending November 18, 2002, within fifteen (15) days of the execution date of this Order, submit an accurate TVACC to the Department within 45 days of the end of each annual reporting period, henceforth maintain its RMP in compliance with requirements of South Carolina Air Pollution Control Regulation 61-62.68 and U.S. EPA Regulation 40 CFR Part 68, Chemical Accident Prevention Provisions, and pay to the Department a civil penalty in the amount of sixteen thousand dollars (**\$16,000**). The penalty is payable in two equal payments. The first payment of eight thousand dollars is due no later than January 29, 2004, followed by a second payment of eight thousand dollars due no later than February 28, 2004.